

Freedom of Information Request

Reference Number: EPUT.FOI.23.3168
Date Received: 2nd of October 2023

Information Requested:

I would like to submit the below FOI request to your NHS board:

1. In 2023, what annual cybersecurity budget has been allocated to your NHS Trust?
£296,274 – Staff costs only
Capital is bid for and allocated on a case-by-case basis for any cyber related asset refresh
2. Can you also provide your Trust's annual cybersecurity budget for the years?
 - a. 2022 - £296,274– Staff costs only
 - b. 2021 - £286,038– Staff costs only
 - c. 2020 - £339,082– Staff costs only
 - d. 2019 - £329,162– Staff costs only
 - e. 2018 - £271,472– Staff costs only
 - f. 2017 - £0 – No dedicated Cyber budget or function
3. In 2023, how is your annual cybersecurity budget spent:
100% of budget spent on staff costs. Any training or asset refresh is separately bid for.
 - a. What percentage goes towards cybersecurity training for employees?
Separate skills licences procured annually (50k) of which 25% on average goes towards Cyber training
 - b. What percentage goes towards technology investments?
Zero – separate capital bids
 - c. What percentage goes towards employee resources for your cybersecurity team?
100%
4. How many employees work in your NHS Trust?
The Trust believes that this information is publicly available on the <https://eput.nhs.uk/media/xhfivye4/essex-partnership-university-nhs-foundation-trust-annual-report-and-accounts-2022-23.pdf> (eput.nhs.uk) website and therefore is applying a Section 21 exemption of the Act (Information accessible to applicant by other means):
5. How many employed, full-time members of staff make up your NHS Trust's cyber/info security team?
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6. How many hours of cybersecurity training are employees of your NHS Trust required to undertake every year?
60 Hours for those holding a formal qualification within the Cyber Team

7. Has your NHS Trust paid any ransom demands to cybercriminals in the last five years?
Essex Partnership NHS Foundation Trust believe that releasing this information would enable cyber criminals to identify and take advantage of any weaknesses within the security of trust services. This would put patient & trust information at risk, including clinical, financial, and sensitive personal data. We therefore apply section 31(1)(a). Section 31 is a qualified exemption, so we have considered the public interest, but we believe that on this occasion the risk to data outweighs the public interest in cyber security concerns.
- a. If yes, how much did you pay in total?
N/A
8. Has your NHS Trust had any patient records compromised / stolen by cybercriminals in the last five years?
Essex Partnership NHS Foundation Trust believe that releasing this information would enable cyber criminals to identify and take advantage of any weaknesses within the security of trust services. This would put patient & trust information at risk, including clinical, financial, and sensitive personal data. We therefore apply section 31(1)(a). Section 31 is a qualified exemption, so we have considered the public interest, but we believe that on this occasion the risk to data outweighs the public interest in cyber security concerns.
- a. If yes, how many records were compromised / stolen?
N/A

31 Law enforcement.

(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the prevention or detection of crime,
- (b) the apprehension or prosecution of offenders,
- (c) the administration of justice,
- (d) the assessment or collection of any tax or duty or of any imposition of a similar nature,
- (e) the operation of the immigration controls,
- (f) the maintenance of security and good order in prisons or in other institutions where persons are lawfully detained,
- (g) the exercise by any public authority of its functions for any of the purposes specified in subsection (2),
- (h) any civil proceedings which are brought by or on behalf of a public authority and arise out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under an enactment, or

(i) any inquiry held under the [F1Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016] to the extent that the inquiry arises out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under an enactment.

(2) The purposes referred to in subsection (1)(g) to (i) are—

- (a) the purpose of ascertaining whether any person has failed to comply with the law,
 - (b) the purpose of ascertaining whether any person is responsible for any conduct which is improper,
 - (c) the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise,
 - (d) the purpose of ascertaining a person's fitness or competence in relation to the management of bodies corporate or in relation to any profession or other activity which he is, or seeks to become, authorised to carry on,
 - (e) the purpose of ascertaining the cause of an accident,
 - (f) the purpose of protecting charities against misconduct or mismanagement (whether by trustees or other persons) in their administration,
 - (g) the purpose of protecting the property of charities from loss or misapplication,
 - (h) the purpose of recovering the property of charities,
 - (i) the purpose of securing the health, safety and welfare of persons at work, and
 - (j) the purpose of protecting persons other than persons at work against risk to health or safety arising out of or in connection with the actions of persons at work.
- (3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection (1).

Section 21: Information accessible to applicant by other means.

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

- (a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and
- (b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's

publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT's Publication Scheme is located on its Website at the following link
<https://eput.nhs.uk>